

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

BISOUS BISOUS LLC,

Plaintiff,

v.

THE CLE GROUP, LLC,

Defendant.

Case No. 3:21 CV01614B

**[PROPOSED] ORDER GRANTING PLAINTIFF'S APPLICATION FOR A
TEMPORARY RESTRAINING ORDER AND MOTION FOR PRELIMINARY
INJUNCTION**

Before the Court is Plaintiff Bisous Bisous LLC'S ("BISOUS BISOUS" or "Plaintiff") Application for a Temporary Restraining Order and Motion for Preliminary Injunction (Dkt. 12; the "Application") together with the Appendix containing the Declaration of Andrea Meyer in support of the Application and all exhibits thereto.

The Court **ORDERS** that CLE file any response to the Application on or before July 21, 2021, and that BISOUS BISOUS file any reply to CLE's response on or before July 23, 2021.

Thereafter, the Court will rule on the merits of BISOUS BISOUS' Application for a Temporary Restraining Order.

The Court further **ORDERS** CLE to appear for a hearing to aid in the determination of BISOUS BISOUS' Motion for Preliminary Injunction, which will be held in this Court before the Honorable Jane J. Boyle on July __, 2021, at __:__ am/pm, or as soon thereafter as counsel may be heard, and during which CLE shall show cause why an order should not be entered granting BISOUS BISOUS a preliminary injunction, pursuant to Rule 65 of the Federal Rules of

Civil Procedure, preliminarily enjoining CLE and its officers, agents, servants, employees, attorneys, and all other persons acting by, through, or in concert with CLE or its officers, agents, servants, employees, or attorneys from:

- (i) Operating BISOU Dallas under the name BISOU, or any BISOU-formative name such as BISOU DALLAS;
- (ii) Using the term “BISOU” or any term that is the same as, similar to, or derivative of the BISOUS Marks including BISOUS, any BISOU-formative term such as CLUB BISOU, BISOU CONTINENTAL or BISOU BISOU, or a similar sounding misspelling such as BISOO, BISU or BIZU (the “Enjoined Marks”) as a trademark, service mark, trade name, Internet domain name, username, account name, social media handle, or otherwise, to market, advertise, distribute, promote, offer for sale, sell, render, or identify any restaurant or food/beverage business, products, or services located in Dallas, including in connection with BISOU Dallas; and
- (iii) Doing any other act likely to cause confusion or mistake, or to deceive consumers of restaurant services or food/beverage services and products into believing that CLE or its business, products, services, or other commercial activities in Dallas are in any way affiliated, connected, or associated with BISOUS BISOUS or its goods and services offered under the BISOUS Marks; and further to:
- (iv) Remove from display and cease all use of any advertisements and marketing, promotional, or sales materials relating to BISOU Dallas comprising, bearing, or displaying the term “BISOU” including from <www.bisoudallas.com>, the @bisoudtx “Bisou Dallas” Instagram and Facebook accounts, and all Internet webpages and social media accounts within CLE’s custody or control; and

(v) Remove from display and cease all use of signage, menus, and other physical materials comprising, bearing, or displaying the term “BISOU” within CLE’s custody and control for BISOU Dallas.

IT IS SO ORDERED this __ day of July 2021.

JANE J. BOYLE
UNITED STATES DISTRICT JUDGE